

To: Chang, Lisa[Chang.Lisa@epa.gov]; Steiner-Riley, Cara[Steiner-Riley.Cara@epa.gov]
Cc: Bonifaci, Angela[Bonifaci.Angela@epa.gov]; Croxton, Dave[Croxton.David@epa.gov]
From: Fullagar, Jill
Sent: Thur 8/13/2015 5:43:23 PM
Subject: RE: Ag NPS-related website for review
EPA markup of letter 8-13-15 jf.docx

Hi Lisa,

I inserted a few comments in the letter edits. I agree with the ones about the website and have a general comment (which is also one of the letter comments) that you may want to add or emphasize. The Ecology report they are citing is 13 to 15 years old (published in 2002, likely data from 2000.) Those 305(b) reports are now wrapped up into the Integrated Report that the state submits. These are updated (theoretically) every two years to reflect new data assessment. Using statistics from a report that old is a little suspect. While the stats may still hold, I think it is questionable to cite a data analysis assessment that has been replaced many times over by an updated version, the most recently approved by EPA in 2012. The data search tool on Ecology's website does not present the information in a narrative like the 2002 report, but if they want to be accurate, that is the data they would be using.

I also think it is a little misleading to say that ag is responsible for 30% of pollution. That number is coming from Table 2 on pg 5 of the 2002 report, a table called "**POSSIBLE** Pollution Sources of Impairment of Assessed Waters." The impaired waters listing does not determine source attribution. That happens during a TMDL assessment. The conclusions in that table are based on best professional judgement of Ecology staff, likely determined by land use activities surrounding the impaired segments, and may well be accurate, but I think they should be cautious in making it sound like those are absolutely, without doubt, the cause. Ecology calls it "possible." For example, we've had many cases, most recently in the Skagit, where folks assumed it was ag and only ag to blame for bacterial impairments. Microbial Source Tracking determined that while ag was a contributor, dogs, birds and septic systems were also to blame, so these best professional judgement calls may not be something we want to swear by.

I want to be clear that I'm not saying the numbers they are citing are necessary wrong, but I am saying if you asked me to defend them, I would have a difficult time doing so given the above caveats. They may be able to come up with exactly the same information using current data, but it is the current data that should be referenced, not outdated data. And again, I think we need to be careful about making it sound like that data shows ag as a definitive cause, because that is not how the listings should be used, and that is not what they represent. They could instead say something like "XX percent of impairments are due to pollutants commonly associated with ag." That would be more accurate.

Hope this helps. Let me know if you have other questions or would like me to further explain any of the above. Thanks.

jill

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From: Chang, Lisa
Sent: Thursday, August 13, 2015 9:47 AM
To: Steiner-Riley, Cara; Fullagar, Jill
Cc: Bonifaci, Angela
Subject: Ag NPS-related website for review
Importance: High

Cara and Jill,

Thank you for being willing to do a quick review of the Puget Sound team's feedback to a cooperative agreement recipient on their draft website, and their accompanying 1-page letter. Angela and Dan have reviewed this and asked for your once-over.

Cara – in the website document, which should be read first, I've yellow-highlighted the comments that I think ORC could focus on, as those passages make CWA statements that Dan wanted to make sure were solid. On the letter, if your staff could do a once-over of the whole page, that would be helpful.

Jill – similarly, in the website document, which you should look at first, I've blue-highlighted comments I think need impaired waters listing perspective. I think your once-over of all the feedback would be helpful, if you have time, because the recipient is basing so much of this website on impaired waters information. And if you could take a look at the letter as well, that would be great.

If there is any possibility of having this back by the end of the day, we'd be most appreciative. Please call with any questions.

Lisa 3-0226